

# ORDINANCE 1568

**AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING NORTH BEND MUNICIPAL CODE CHAPTER 2.27 RELATING TO AND ESTABLISHING A LODGING TAX ADVISORY COMMITTEE; PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS; DEFINING THE ORGANIZATION AND RESPONSIBILITIES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, RCW 67.28.1816 provides that an advisory committee with representation from the lodging industry shall be established in cities that assess a lodging tax as authorized by state law; and

**WHEREAS**, the City Council desires to establish a Lodging Tax Advisory Committee and to comply with all statutory requirements;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. NBMC Chapter 2.27, “Lodging Tax Advisory Committee,” Adopted:** North Bend Municipal Code Chapter 2.27, to be entitled “Lodging Tax Advisory Committee,” is hereby adopted to read as follows:

**2.27.010 Established.**

The North Bend Lodging Tax Advisory Committee is hereby established.

**2.27.020 Membership.**

The Lodging Tax Advisory Committee shall consist of at least five members. The Committee membership shall be in accordance with RCW 67.28.181 and shall include:

A. At least two members who are representatives of businesses required to collect the lodging tax;

B. At least two members who are persons involved in activities authorized to be funded by revenue received from the lodging tax; and

C. One elected official of the City who shall serve as chair of the Committee.

Persons eligible for appointment under (A) of this Section are not eligible for appointment under (B) of this Section. Persons eligible for appointment under (B) of this Section are not eligible for appointment under (A) of this Section. The number of members who are representatives of business required to collect the lodging tax shall equal the number of members who are involved in activities authorized to be funded by revenue received from the lodging tax.

**2.27.030 Appointments.**

The members of the Lodging Tax Advisory Committee shall be appointed by the Mayor and approved by the City Council.

**2.27.040 Terms.**

Each Lodging Tax Advisory Committee member shall serve for a term of three years, except that the first two members of the Committee shall be appointed for terms of two years. A member is disqualified, and a vacancy shall exist, if any member fails to satisfy the membership criteria set forth in NBMC 2.27.020 during his or her term of membership.

**2.27.050 Compensation.**

The members of the Lodging Tax Advisory Committee shall receive no compensation and are not eligible for reimbursement of expenses incidental to service on the Committee. The Committee may request in advance to the Mayor or City Administrator specific support necessary to carry out its responsibilities.

**2.27.060 Duties.**

The Lodging Tax Advisory Committee will review and make recommendations to the City Council regarding:

- A. Plans to impose any new lodging tax;
- B. Plans to repeal an exemption from the lodging tax;
- and/or
- C. Proposals to change the use of lodging tax proceeds.

The Committee recommendations shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-term stability of the fund created under RCW 67.28.181. The Lodging Tax Advisory Committee shall comply with all local, state, and

federal statutes regarding the Open Public Meetings Act and the Public Disclosure Act.

**2.24.070 Meetings.**

The Lodging Tax Advisory Committee shall convene meetings when necessary to meet the duties required under this Chapter. Records of the Committee meetings shall be kept by a Committee member who shall be appointed secretary and who shall submit such records to the City Clerk. A majority of the members of the Committee shall constitute a quorum for the transaction of business and any action taken by a majority of those present shall be deemed action of the Committee. The Committee may establish and adopt procedures for the conduct of meetings, voting, review, analysis, and preparation of comments. Each member, including the chair, shall be entitled to one vote.

**Section 2. Severability:** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 3. Effective Date:** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 8<sup>TH</sup> DAY OF DECEMBER, 2015.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: December 16, 2015

Effective: December 21, 2015

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**Susie Oppedal, City Clerk**